

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

SHERRY ELLIS, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	NO. CIV-16-0019-HE
	)	
THE CITY OF OKLAHOMA CITY,	)	
OKLAHOMA, <i>et al.</i> ,	)	
	)	
Defendants.	)	
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TABATHA BARNES, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	NO. CIV-16-0184-HE
	)	
THE CITY OF OKLAHOMA CITY,	)	
OKLAHOMA, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

The court previously extended the deadline for preparation of a joint pretrial report and indicated that any party failing to participate in the filing of a report by August 8, 2022 would be subject to dismissal or entry of default judgment. Order, August 2, 2022. The remaining plaintiffs in Case No. 16-0019 (Ellis and Raines) have filed nothing and the submissions of other plaintiffs suggest they will be dismissing. The plaintiffs in Case No. 16-0184 have submitted a partial report, indicating difficulties with the submissions of defendant Holtzclaw. Defendant Holtzclaw has moved for a further extension of the deadline for filing a proposed pretrial report, indicating, among other things, that recent

changes or uncertainty as to the status of particular plaintiffs complicated preparation of the report. The parties in Case No. 16-0412 have stipulated to the dismissal of plaintiff's (Grate) claims and they have been dismissed.

In light of these developments, the court concludes and **ORDERS** as follows:


(1) The plaintiff's claims in Case No. 16-0019 (Ellis and Raines) are **DISMISSED WITHOUT PREJUDICE** in light of their non-filing of a report and the court's August 2, 2022, order.

(2) Defendant Holtzclaw's motion for extension of deadlines [Doc. #425 in Case No. 16-184] is **GRANTED**; the deadline for submission of a pretrial report is extended to August 15, 2022. The court notes that defendant's tentative submissions [see Doc. #426-3] are not in the proper format and fail to comply with the court's earlier instructions in multiple respects. Continued non-compliance may result in the entry of default judgment without further notice.

(3) The issue as to the consolidation of these cases for trial is now moot in light of the dismissal of the claims in Case Nos. 16-0019, 16-0349, and 16-0412. Case No. 16-0184 will proceed to trial under that case number only; further filings in that case should reflect only the single caption applicable to it.

**IT IS SO ORDERED.**

Dated this 9<sup>th</sup> day of August, 2022.

  
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JOE HEATON  
UNITED STATES DISTRICT JUDGE